

REMARKS/ARGUMENTS

The specification has been amended to correct spelling and grammatical errors.

Claims 1-49 stand rejected.

No claims are cancelled.

No claims are added.

Claims 1-49 remain in this application.

35 U.S.C. §102

Claims 1-49 are rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,522,767 B1 to Moskowitz et al (Moskowitz). Applicants respectfully traverse the rejection.

Independent claim 1 recites “[a] method for tracking a requested signal, the method comprising:

receiving a request for the requested signal;

generating transaction identification data which identifies the received request;

including a pattern in the requested signal to form a watermarked signal using a predetermined basis signal, wherein the transaction identification data can be derived from the pattern; further wherein the inclusion of the basis signal in the requested signal is designed to introduce no more than a predetermined maximum level of perceptibility to the requested signal.

Moskowitz is directed to implementing digital watermarks used in transmission, distribution, and storage mediums. Moskowitz describes adapting watermark application parameters to the individual characteristics of a given digital sample stream. In particular, Moskowitz teaches implementing feature-based digital watermarks. Watermark information is not carried in individual samples, but is carried in relationships between multiple samples, such as in a waveform shape. Moskowitz is directed to digital watermarks that may separate frequencies (color or audio) while utilizing discreteness in feature-based encoding only known to those with pseudo-random keys (i.e., cryptographic keys) or possibly tools to access such information. See col. 2, lines 26-46 of Moskowitz. Furthermore, Moskowitz teaches a method of encoding and decoding watermarks in a signal where insertion and detection of abstract signal features to carry watermark information in the signal is done, rather than individual samples. See col. 3, lines 19-23 of Moskowitz.

Claim 1 particularly recites “receiving a request for the requested signal”. Moskowitz does not teach or disclose this element. The Action presents that this element is taught in Moskowitz col. 2, lines 26-46 and col. 3, lines 19-23; however, there is no such teaching. The discussion above specifically refers to the section cited in the Action and no teaching is disclosed as to “receiving a request”. Moskowitz describes a system that implements or attaches watermarks to signals and media, but does not teach a system receiving a request as recited in claim 1.

Claim 1 further recites “generating transaction identification data which identifies the received request”. As discussed, “receiving a request” is not taught in Moskowitz. Therefore, if Moskowitz does not teach the element of “receiving a

request”, Moskowitz does not teach the element of “generating transaction identification data which identifies the received request”. The Action presents that this element is taught in Moskowitz col. 2, lines 26-46 and col. 3, lines 19-23; however, there is no such teaching as to “generating transaction identification data”.

Claim 1 further recites “including a pattern in the requested signal to form a watermarked signal using a predetermined basis signal, wherein the transaction identification data can be derived from the pattern; further wherein the inclusion of the basis signal in the requested signal is designed to introduce no more than a predetermined maximum level of perceptibility to the requested signal.” The Action presents that Moskowitz col. 2, lines 26-46 and col. 3, lines 19-23 discloses or teaches this element. However, there is no specific disclosure or teaching. This particular element of claim 1 is directed to forming a watermarked signal that includes a pattern in the requested signal and uses a predetermined basis signal. Therefore, the watermarked signal is formed by the “pattern in the requested signal” and “predetermined basis signal”. As described in col. 3, lines 19-23 of Moskowitz, “the present invention additionally relates to a method of encoding and decoding watermarks in a signal”; however, there is no specific teaching in Moskowitz as to forming a watermarked signal using a “pattern in the requested signal” and “predetermined basis signal” as recited in claim 1.

Furthermore, the Action has not pointed out where in Moskowitz it is disclosed or taught “inclusion of the basis signal in the requested signal is designed to introduce no more than a predetermined maximum level of perceptibility to the requested signal”. Moskowitz does not disclose or teach the

use of a predetermined maximum level of perceptibility, or describes any level of perceptibility as applied to an inclusion of a basis signal in a requested signal, as recited in claim 1.

The Examiner seemingly relies on personal knowledge without pointing to any specific teaching in Moskowitz as to the elements of claim 1. Specifically, the Examiner merely contends that “[w]ith respect to claim 1, Moskowitz teach (sic) a method for tracking a requested signal (see abstract), the method comprising: receiving a request for the requested signal, generating transaction identification data which identifies the received request, and including a pattern in the requested signal to form a watermarked signal using a predetermined basis signal, wherein the transaction identification data can be derived from the pattern; further wherein the inclusion of the basis signal in the requested signal is designed to introduce no more than a predetermined maximum level of perceptibility to the requested signal (see abstract; col. 2, lines 26-46; col. 3, lines 19-23).” However, as discussed above, the Action does not point out where in Moskowitz the specific elements of claim 1 are taught.

According to 37 CFR §1.104(d)(2), “[w]hen a rejection in an application is based on facts within the personal knowledge of an employee of the office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the affidavit of such employee, and such affidavit shall be subject to contradiction or explanation by the affidavits of the applicant and other persons.” If this rejection is maintained on a similar basis in a subsequent action, the applicant respectfully requests the Examiner to supply such an affidavit to support this modification of Moskowitz. Otherwise, and without

additional support, it is respectfully submitted the Examiner's conclusion does not represent the conclusion of a person of ordinary skill at the time of invention

Accordingly, Moskowitz does not teach every element of claim 1, and the rejection of claim 1 is therefore improper. Applicants respectfully request that the §102 rejection of claim 1 be withdrawn.

Dependent claim 2 depends from and comprises all the elements of claim 1. As such, dependent claim 2 is allowable at the least by virtue of its dependency on base claim 1. Applicants respectfully request that the §102 rejection of claim 2 be withdrawn.

Dependent claim 3 depends from and comprises all the elements of claim 2. As such, dependent claim 3 is allowable at the least by virtue of its dependency on claim 2 (which depends on claim 1).

Claim 3 further recites "wherein including the basis signal comprises:

logically dividing the basis signal into segments; and for each segment of the basis signal,

adding the segment of the basis signal to a corresponding segment of the requested signal upon a condition in which a corresponding portion of the pattern has a first logical value; and

subtracting the segment of the basis signal from the corresponding segment of the requested signal upon a condition in which the corresponding portion of the pattern has a second logical value.

The Action cites col. 3, lines 59-67 to col. 4, lines 6-17 of Moskowitz as teaching this element. The particular section is reproduced below:

The present invention further relates to a method of encoding watermarks including inverting at least one watermark bit stream and encoding a watermark including the inverted watermark bit stream.

The present invention also relates to a method of decoding watermarks by considering an original watermark synchronization marker, an inverted watermark synchronization marker, and inverted watermarks, and decoding based on those considerations.

The present invention also relates to a method of encoding and decoding watermarks in a signal using a spread spectrum technique to encode or decode where information is encoded or decoded at audible levels and randomized over both frequency and time.

The present invention additionally relates to a method of analyzing composite digitized signals for watermarks including obtaining a composite signal, obtaining an unwatermarked sample signal, time aligning the unwatermarked sample signal to the composite signal, gain adjusting the time aligned unwatermarked sample signal to the composite signal, estimating a pre-composite signal using the composite signal and the gain adjusted unwatermarked sample signal, estimating a watermarked sample signal by subtracting the estimated pre-composite signal for the composite signal, and scanning the estimated watermark sample signal for watermarks.

Claim 3 is particularly directed to the element of “including the basis signal”. As discussed above in support of claim 1, the “watermarked signal is formed by the “pattern in the requested signal” and “predetermined basis signal”.

In forming the watermarked signal, claim 3 particularly recites “dividing the basis signal into segments” and either “adding the segment of the basis signal to a corresponding segment of the requested signal upon a condition in which a corresponding portion of the pattern has a first logical value” and “subtracting the segment of the basis signal from the corresponding segment of the requested signal upon a condition in which the corresponding portion of the pattern has a second logical value”.

What is taught in Moskowitz, as cited by the Action, is “encoding and decoding watermarks in a signal using a spread spectrum technique to encode or decode where information is encoded or decoded at audible levels and randomized over both frequency and time”. The Action seems to relate frequency division and time division as taught in Moskowitz to the “dividing the basis signal into segments” as recited in the element of claim 3. However, there is no teaching that such time or frequency divided segments may have “corresponding segment(s) of the requested signal” as recited in claim 3. Depending on a first or logical value, segments of the basis signal may either be added to “a corresponding segment of the requested signal” or subtracted from “the corresponding segment of the requested signal”.

Moskowitz teaches that a composite digitized signal that contains watermarks may be analyzed for watermarks. The composite signal is obtained along with an unwatermarked sample signal. The unwatermarked sample signal is time aligned to the composite signal. The time aligned unwatermarked sample signal is gain adjusted to the composite signal, and a pre-composite signal is estimated. A watermarked sample signal is estimated by subtracting the pre-composite signal from the gain adjusted composite signal and scanning the estimated watermark sample signal for watermarks.

The cited section of Moskowitz is directed to analyzing a received watermarked signal, not for forming a watermarked signal as recited in claim 3. Furthermore, the “subtracting” that is described in Moskowitz is directed to pre-composite signal from a gain adjusted signal, not to corresponding segments from a requested signal. Also, Moskowitz fails to disclose or teach a “first logical

value” condition in which the subtraction takes place, and a “second logical value” condition in which addition takes place. In particular, there is no teaching in Moskowitz as addition of signals or signal segments as recited in claim 3.

Accordingly, Moskowitz does not teach every element of claim 3, and the rejection of claim 3 is therefore improper. Applicants respectfully request that the §102 rejection of claim 3 be withdrawn.

Dependent claim 4 depends from and comprises all the elements of claim 1. As such, dependent claim 4 is allowable at the least by virtue of its dependency on base claim 1.

Claim 4 further recites “sending the watermarked signal in response to the request for the requested signal”.

The Action cites col. 3, lines 59-67 to col. 4, lines 6-17 of Moskowitz as teaching this element. However, this particular section, and Moskowitz in general, does not teach “sending the watermarked signal”. The Action seems to assume that sending a watermark signal can take place, since it is not specifically mentioned in the cited section. However, a §102 rejection requires the actual teaching of “sending the watermarked signal in response for the requested signal”.

Accordingly, Moskowitz does not teach every element of claim 4, and the rejection of claim 4 is therefore improper. Applicants respectfully request that the §102 rejection of claim 4 be withdrawn.

Dependent claim 5 depends from and comprises all the elements of claim 1. As such, dependent claim 5 is allowable at the least by virtue of its dependency on base claim 1.

Claim 5 further recites “wherein including comprises:

selecting watermarked signal fragments representing a first logical value for corresponding portions of the pattern which have the first logical value;

selecting watermarked signal fragments representing a second logical value for corresponding portions of the pattern which have the second logical value; and

combining the watermarked signal fragments representing the first and second logical values to form the watermarked signal.”

The Action cites col. 4, lines 6-17; col. 17, lines 18-44 of Moskowitz as teaching this element. However, as discussed above, col. 4, lines 6-17 of Moskowitz do not teach a “watermarked signal fragments representing a first logical value for corresponding portions of the pattern which have the first logical value” and a “watermarked signal fragments representing a second logical value for corresponding portions of the pattern which have the second logical value”. Furthermore, there is no teaching in Moskowitz as to “combining the watermarked signal fragments representing the first and second logical values to form the watermarked signal”. However, a §102 rejection requires the actual teaching of “combining the watermarked signal fragments representing the first and second logical values to form the watermarked signal”.

Accordingly, Moskowitz does not teach every element of claim 5, and the rejection of claim 5 is therefore improper. Applicants respectfully request that the §102 rejection of claim 2 be withdrawn.

Dependent claim 6 depends from and comprises all the elements of claim 5. As such, dependent claim 6 is allowable at the least by virtue of its dependency on claim 5 (which depends on claim 1). Applicants respectfully request that the §102 rejection of claim 6 be withdrawn.

Independent claim 7 recites “[a] method for enabling embedding of transaction-specific identification data into a requested signal, the method comprising:

- logically dividing the requested signal into segments;
- for each segment,
- embedding a first logical value in the segment to form a first embedded segment;
- embedding a second logical value in the segment to form a second embedded segment; and
- including both the first and second embedded segments in a composite signal.

The Action cites col. 4, lines 6-17 of Moskowitz as disclosing claim 7. As discussed above, this particular section of Moskowitz is directed to “analyzing composite signals for watermarks”. In particular, the cited section states “estimating a watermarked sample signal by subtracting the estimated pre-composite signal for the composite signal, and scanning the estimated watermark sample signal for watermarks”. There is no teaching in this particular section or Moskowitz in general, as to “logically dividing the requested signal into segments”. “[F]or each segment, embedding a first logical value in the segment to form a first embedded segment; embedding a second logical value in the segment

to form a second embedded segment; and including both the first and second embedded segments in a composite signal.”

The composite signal described in the cited section of Moskowitz is a received signal that is analyzed for watermarks. Such a composite signal does not include embedded first and second segments that are formed by respectively embedding first and second logical values.

Accordingly, Moskowitz does not teach every element of claim 7, and the rejection of claim 7 is therefore improper. Applicants respectfully request that the §102 rejection of claim 7 be withdrawn.

Dependent claim 8 depends from and comprises all the elements of claim 7. As such, dependent claim 8 is allowable at the least by virtue of its dependency on base claim 7.

Claim 8 further recites “for each of the segments of the requested signal: selecting from first and second embedded segments of the composite signal according to a corresponding bit of the transaction-specific identification data.”

The Action cites col. 4, lines 6-17 of Moskowitz as teaching this element recited by claim 8; however, as discussed above, Moskowitz does not teach or disclose transaction-specific identification data. Therefore there is no teaching or disclosure as to “a corresponding bit of the transaction-specific identification data” as recited in claim 8.

Accordingly, Moskowitz does not teach every element of claim 8, and the rejection of claim 8 is therefore improper. Applicants respectfully request that the §102 rejection of claim 8 be withdrawn.

Dependent claim 9 depends from and comprises all the elements of claim 8. As such, dependent claim 9 is allowable at the least by virtue of its dependency on claim 8 (which depends on base claim 7).

Claim 9 further recites “combining the selected embedded segments of the composite signal to form a watermarked signal which includes the transaction-specific identification data embedded therein”.

The Action cites col. 4, lines 6-17 and col. 18, lines 18-44 of Moskowitz as teaching this element recited by claim 9. Col. 18, lines 18-44 of Moskowitz discloses recovering a watermarked signal or computation of an optimal signal; however, this section does not teach combining segments of a composite signal to form a watermark that includes transaction-specific identification data. As discussed above, Moskowitz does not teach or disclose “transaction-specific identification data” as recited in claim 9.

Accordingly, Moskowitz does not teach every element of claim 9, and the rejection of claim 9 is therefore improper. Applicants respectfully request that the §102 rejection of claim 9 be withdrawn.

Dependent claim 10 depends from and comprises all the elements of claim 7. As such, dependent claim 10 is allowable at the least by virtue of its dependency on base claim 7.

Claim 10 further recites “including both the first and second embedded segments in a composite signal comprises:

including the first embedded segment in a first frame;

compressing the first frame to form a first compressed frame;

including the second embedded segment in a second frame;

compressing the second frame to form a second compressed frame;
and

including both the first and second compressed frames in the
composite signal.”

The Action cites col. 4, lines 6-17 and col. 17, lines 18-27 of Moskowitz as teaching this element. As discussed above, col. 4, lines 6-17 of Moskowitz describes analyzing and scanning composite digital signals for watermarks. Col. 17, lines 18-27 of Moskowitz describes in general compression of signals that include watermarks. However, neither sections disclose or teach “including the first embedded segment in a first frame; compressing the first frame to form a first compressed frame; including the second embedded segment in a second frame; compressing the second frame to form a second compressed frame; and including both the first and second compressed frames in the composite signal” as recited in claim 10.

Accordingly, Moskowitz does not teach every element of claim 10, and the rejection of claim 10 is therefore improper. Applicants respectfully request that the §102 rejection of claim 10 be withdrawn.

Dependent claim 11 depends from and comprises all the elements of claim 10. As such, dependent claim 11 is allowable at the least by virtue of its dependency on claim 10 (which depends on base claim 7).

Claim 11 further recites “including both the first and second embedded segments in a composite signal further comprises:

determining that the first and second compressed frames are
equivalent; and

including a single compressed frame in the composite signal to represent both the first and second compressed frames.

Moskowitz does not teach or disclose “the first and second compressed frames”. The Action does not address where in Moskowitz that signals (i.e., the first and second compressed frame) are determined to be equivalent. The Action cites col. 18, lines 1-6 of Moskowitz as teaching including a single compressed frame in the composite signal; however, this particular section discloses analyzing a composite content signal that is suspected to contain a watermarked sample of copyrighted work.

Accordingly, Moskowitz does not teach every element of claim 11, and the rejection of claim 11 is therefore improper. Applicants respectfully request that the §102 rejection of claim 11 be withdrawn.

Independent claim 12 recites “[a] method for embedding transaction-specific identification data into a requested signal, the method comprising:

retrieving a composite signal which includes, for each of one or more corresponding portions of the requested signal, a first marked segment which represents a first logical value embedded in the corresponding portion of the requested signal and a second marked segment which represents a second logical value embedded in the corresponding portion of the requested signal;

for each of the corresponding portions of the requested signal, selecting segments of the composite signal according to logical values of corresponding bits of the transaction-specific identification data; and

combining the selected segments to form a watermarked signal which includes the transaction-specific identification data embedded therein.

The Action cites col. 1, lines 60-64 of Moskowitz. This section describes in general terms the goal of inserting, and protecting, and detecting digital watermarks in a digitized sample stream. Col. 2, lines 58-67 to col. 3, lines 19-23 is also cited in the Action. The section describes preserving the quality of underlying content signals, degrading a content signal when attempts to remove a watermark is made, amplitude encoding a watermark in a signal, and amplitude decoding of a digital watermark. The cited sections do not disclose a composite signal that includes a first marked segment which represents a first logical value and a second marked segment which represents a second logical value, both segments embedded in respective corresponding portions of a requested signal as recited in claim 12.

Claim 12 particularly recites “for each of the corresponding portions of the requested signal, selecting segments of the composite signal according to logical values of corresponding bits of the transaction-specific identification data”. The Action cites col. 1, lines 60-64 and Col. 2, lines 58-67 to col. 3, lines 19-23 of Moskowitz as teaching this element; however, as discussed above, there is no specific teaching in Moskowitz as to selecting segments of a composite signal according to values of corresponding bits of transaction-specific identification data. This is particularly not taught or disclosed in Moskowitz, because Moskowitz does not describe a transaction ever taking place. If there is no transaction, then there are no transaction-specific identification data.

Claim 12 also recites “combining the selected segments to form a watermarked signal which includes the transaction-specific identification data embedded therein.” The Action cites col. 12, lines 6-17, col. 17, lines 18-44 of Moskowitz as teaching this element. However, col. 12, lines 6-17, describes an error equation used to derive error in signal to noise (S/E) ratio, and does not particularly disclose or teach the recited element of claim 12. Col. 17, lines 18-44 as discussed above, generally describes coding/decoding of watermarked signals and does not particularly disclose or teach what is recited in claim 12.

Accordingly, Moskowitz does not teach every element of claim 12, and the rejection of claim 12 is therefore improper. Applicants respectfully request that the §102 rejection of claim 12 be withdrawn.

Dependent claim 13 depends from and comprises all the elements of claim 12. As such, dependent claim 13 is allowable at the least by virtue of its dependency on base claim 12. Applicants respectfully request that the §102 rejection of claim 13 be withdrawn.

Independent claim 14 is rejected based on similar reasons as claim 1. Applicants assert the arguments presented in support of claim 1, in support of claim 14. Applicants respectfully request that the §102 rejection of claim 14 be withdrawn.

Dependent claim 15 depends from and comprises all the elements of claim 14. As such, dependent claim 15 is allowable at the least by virtue of its dependency on base claim 14. Applicants respectfully request that the §102 rejection of claim 15 be withdrawn.

Dependent claim 16 is rejected based on similar reasons as claim 3. Applicants assert the arguments presented in support of claim 3, in support of claim 16. Applicants respectfully request that the §102 rejection of claim 16 be withdrawn.

Dependent claim 17 is rejected based on similar reasons as claim 4. Applicants assert the arguments presented in support of claim 4, in support of claim 17. Applicants respectfully request that the §102 rejection of claim 17 be withdrawn.

Dependent claim 18 is rejected based on similar reasons as claim 5. Applicants assert the arguments presented in support of claim 5, in support of claim 18. Applicants respectfully request that the §102 rejection of claim 18 be withdrawn.

Dependent claim 19 depends from and comprises all the elements of claim 18. As such, dependent claim 19 is allowable at the least by virtue of its dependency on claim 18 (which depends on claim 14). Applicants respectfully request that the §102 rejection of claim 19 be withdrawn.

Dependent claim 20 is rejected based on similar reasons as claim 7. Applicants assert the arguments presented in support of claim 7, in support of claim 20. Applicants respectfully request that the §102 rejection of claim 20 be withdrawn.

Dependent claim 21 is rejected based on similar reasons as claim 8. Applicants assert the arguments presented in support of claim 8, in support of claim 21. Applicants respectfully request that the §102 rejection of claim 21 be withdrawn.

Dependent claim 22 is rejected based on similar reasons as claim 9. Applicants assert the arguments presented in support of claim 9, in support of claim 21. Applicants respectfully request that the §102 rejection of claim 22 be withdrawn.

Dependent claim 23 is rejected based on similar reasons as claim 10. Applicants assert the arguments presented in support of claim 10, in support of claim 23. Applicants respectfully request that the §102 rejection of claim 23 be withdrawn.

Dependent claim 24 is rejected based on similar reasons as claim 11. Applicants assert the arguments presented in support of claim 11, in support of claim 24. Applicants respectfully request that the §102 rejection of claim 24 be withdrawn.

Independent claim 25 is rejected based on similar reasons as claim 12. Applicants assert the arguments presented in support of claim 12, in support of claim 25. Applicants respectfully request that the §102 rejection of claim 25 be withdrawn.

Dependent claim 26 depends from and comprises all the elements of claim 25. As such, dependent claim 26 is allowable at the least by virtue of its dependency on base claim 25. Applicants respectfully request that the §102 rejection of claim 26 be withdrawn.

Independent claim 27 is rejected based on similar reasons as claim 1. Applicants assert the arguments presented in support of claim 1, in support of claim 27. Applicants respectfully request that the §102 rejection of claim 27 be withdrawn.

Dependent claim 28 depends from and comprises all the elements of claim 27. As such, dependent claim 28 is allowable at the least by virtue of its dependency on base claim 27. Applicants respectfully request that the §102 rejection of claim 28 be withdrawn.

Dependent claim 29 is rejected based on similar reasons as claim 3. Applicants assert the arguments presented in support of claim 3, in support of claim 29. Applicants respectfully request that the §102 rejection of claim 29 be withdrawn.

Dependent claim 30 is rejected based on similar reasons as claim 4. Applicants assert the arguments presented in support of claim 4, in support of claim 30. Applicants respectfully request that the §102 rejection of claim 30 be withdrawn.

Dependent claim 31 is rejected based on similar reasons as claim 5. Applicants assert the arguments presented in support of claim 5, in support of claim 31. Applicants respectfully request that the §102 rejection of claim 31 be withdrawn.

Dependent claim 32 depends from and comprises all the elements of claim 31. As such, dependent claim 32 is allowable at the least by virtue of its dependency on claim 31 (which depends on base claim 27). Applicants respectfully request that the §102 rejection of claim 32 be withdrawn.

Independent claim 33 is rejected based on similar reasons as claim 7. Applicants assert the arguments presented in support of claim 7, in support of claim 33. Applicants respectfully request that the §102 rejection of claim 33 be withdrawn.

Dependent claim 34 is rejected based on similar reasons as claim 8. Applicants assert the arguments presented in support of claim 8, in support of claim 34. Applicants respectfully request that the §102 rejection of claim 34 be withdrawn.

Dependent claim 35 is rejected based on similar reasons as claim 9. Applicants assert the arguments presented in support of claim 9, in support of claim 35. Applicants respectfully request that the §102 rejection of claim 35 be withdrawn.

Dependent claim 36 is rejected based on similar reasons as claim 10. Applicants assert the arguments presented in support of claim 10, in support of claim 36. Applicants respectfully request that the §102 rejection of claim 36 be withdrawn.

Dependent claim 37 is rejected based on similar reasons as claim 11. Applicants assert the arguments presented in support of claim 11, in support of claim 37. Applicants respectfully request that the §102 rejection of claim 37 be withdrawn.

Independent claim 38 is rejected based on similar reasons as claim 12. Applicants assert the arguments presented in support of claim 12, in support of claim 38. Applicants respectfully request that the §102 rejection of claim 38 be withdrawn.

Dependent claim 39 depends from and comprises all the elements of claim 38. As such, dependent claim 39 is allowable at the least by virtue of its dependency on base claim 38. Applicants respectfully request that the §102 rejection of claim 39 be withdrawn.

Independent claim 40 recites “[a] computer-readable storage medium on which is stored a signal which comprises:

- one or more segments of a subject signal;
- for each of the segments,
 - a first segment instance representing a first logical value of portion of a pattern which is embedded in the segment; and
 - a second segment instance representing a second logical value of the portion embedded in the segment.

As discussed above, and in particularly in support of claim 3, Moskowitz does not disclose or teach “a first segment instance representing a first logical value of portion of a pattern which is embedded in the segment; and a second segment instance representing a second logical value of the portion embedded in the segment”. In rejecting claim 40, the Action cites col. 3, lines 19-23 to col. 4, lines 1-17 of Moskowitz as teaching first and second logical values represented respectively by a first and second segment. As discussed above, these particular sections of Moskowitz describe analyzing and scanning a digital stream for watermarks; however, the Action fails to point out where it is specifically taught that segments can represent a first and second logical value of a portion of pattern as recited in claim 40.

Accordingly, Moskowitz does not teach every element of claim 40, and the rejection of claim 40 is therefore improper. Applicants respectfully request that the §102 rejection of claim 40 be withdrawn.

Dependent claim 41 depends from and comprises all the elements of claim 40. As such, dependent claim 41 is allowable at the least by virtue of its dependency on base claim 40.

Claim 41 further recites “wherein the composite frame includes the following frame instances:

- (i) the first segment instance of a first of the two or more segments of the composite frame and the first segment instance of a second of the two or more segment of the composite frame;

- (ii) the first segment instance of the first segment of the composite frame and the second segment instance of the second segment of the composite frame;

- (iii) the second segment instance of the first segment of the composite frame and the first segment instance of the second segment of the composite frame; and

- (iv) the second segment instance of the first segment of the composite frame and the second segment instance of the second segment of the composite frame.

The Action cites col. 4, lines 1-31, col. 14, lines 26-44 of Moskowitz as teaching this element. These particular sections of Moskowitz describe encoding and decoding of watermark signals using a spread spectrum technique. The techniques described include varying encode/decode algorithms which include analyzing sample frames in a signal stream. Further discussion is made as to encoding by spreading bits over several samples. However, these sections of

Moskowitz fail to disclose or teach “a composite frame” that includes the frame instances as recited in claim 41.

Accordingly, Moskowitz does not teach every element of claim 41, and the rejection of claim 41 is therefore improper. Applicants respectfully request that the §102 rejection of claim 41 be withdrawn.

Dependent claim 42 depends from and comprises all the elements of claim 41. As such, dependent claim 42 is allowable at the least by virtue of its dependency on claim 41 (which depends on claim 40). Applicants respectfully request that the §102 rejection of claim 42 be withdrawn.

Dependent claim 43 depends from and comprises all the elements of claim 40. As such, dependent claim 43 is allowable at the least by virtue of its dependency on base claim 40. Applicants respectfully request that the §102 rejection of claim 43 be withdrawn.

Independent claim 44 recites “[a] transaction-specific watermark embedded in requested digital content.”

The Action cites col. 1, lines 60-64, col. 2 lines 58-67, col. 3, lines 19-23, col. 4, lines 6-17 of Moskowitz as teaching claim 4. However, as discussed above, and particularly in support of claim 1, Moskowitz does not teach or describe transactions between a source and a requesting entity, and therefore does not teach “transaction-specific watermark embedded in requested digital content” as recited in claim 44.

Accordingly, Moskowitz does not teach every element of claim 44, and the rejection of claim 44 is therefore improper. Applicants respectfully request that the §102 rejection of claim 44 be withdrawn.

Dependent claim 45 depends from and comprises all the elements of claim 44. As such, dependent claim 45 is allowable at the least by virtue of its dependency on base claim 44.

Claim 45 further recites “wherein the watermark is embedded in a carrier wave transporting the requested digital content via a network to a party who requested the digital content.”

The Action cites col. 6, line 40 to col. 7, line 10 of Moskowitz as teaching this element. This particular section describes in general, transmitting digital streams over mechanisms such as the Internet; however, this section does not disclose or teach a party requesting digital content.

Accordingly, Moskowitz does not teach every element of claim 45, and the rejection of claim 45 is therefore improper. Applicants respectfully request that the §102 rejection of claim 45 be withdrawn.

Dependent claim 46 depends from and comprises all the elements of claim 44. As such, dependent claim 46 is allowable at the least by virtue of its dependency on base claim 44.

Claim 46 is rejected based on similar reasons as claim 41. Applicants assert the arguments presented in support of claim 41, in support of claim 46. Applicants respectfully request that the §102 rejection of claim 46 be withdrawn.

Independent claim 47 is rejected based on similar reasons as claim 1. Applicants assert the arguments presented in support of claim 1, in support of claim 47. Applicants respectfully request that the §102 rejection of claim 47 be withdrawn.

Dependent claim 48 depends from and comprises all the elements of claim 47. As such, dependent claim 48 is allowable at the least by virtues of its dependency on base claim 47.

Claim 48 is rejected based on similar reasons as claim 45. Applicants assert the arguments presented in support of claim 45, in support of claim 48. Applicants respectfully request that the §102 rejection of claim 48 be withdrawn.

Dependent claim 49 depends from and comprises all the elements of claim 47. As such, dependent claim 49 is allowable at the least by virtues of its dependency on base claim 47.

Claim 49 is rejected based on similar reasons as claim 41. Applicants assert the arguments presented in support of claim 41, in support of claim 49. Applicants respectfully request that the §102 rejection of claim 49 be withdrawn.

Conclusion

Claims 1-49 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Date: 8/9/05

Respectfully Submitted,

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